

REMARKS

Reconsideration of this application is respectfully requested. Claims 2-8 and 10-24 were pending in this application. By the Office Action mailed on January 13, 2006, claims 2-8 and 10-24 were rejected. Claims 2, 4, 5, 11, 13, 14, 19 and 20 have been amended. Claims 2-8 and 10-24 remain in the application.

Rejection Under 35 U.S.C. § 102

Claims 2-5, 9-14 and 19-21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No 5,872,926 to Levac et al. (Hereinafter "Levac"). The remarks below refer to the claims as amended herein.

Independent claim 2 recites, in part,

generating, subsequent to receiving the request from the requesting wireless device, a response to the request for data, the response to include renderable data that is configured for one or more characteristics of the requesting wireless device;

Levac is generally directed to a method and apparatus for sending *a message* from a transmitting source device to diverse receiving devices. (Abstract, col. 1, lines 33-47; col. 3, lines 2-9). Levac does not disclose any *wireless device* capable of making a *request*. Moreover, Levac does not disclose any method or apparatus for generating a *response* to the requesting device. Accordingly, Levac does not teach or disclose the limitation of "*generating, subsequent to receiving the request from the requesting wireless device, a response*" as recited in the above claim element. Because Levac does not disclose every element of independent claim 2, neither claim 2, nor claims 3-5, 9-10 and 21, which depend from, and further limit claim 1, are anticipated by Levac.

Independent claim 11 recites, in part,

one or more processes that generates a response to the request from the wireless device, the one or more processes being configured to generate the response subsequent to receipt of a request for data from the wireless device, and according to a device profile corresponding to the requesting wireless device;

For reasons discussed in conjunction with claim 2, Applicant submits that Levac does not disclose or suggest the limitation of “one or more processes that generate *a response to the request from the wireless device*,” as described in claim 11. Because Levac does not teach every limitation of claim 11, neither claim 11, nor claims 12-14 and 19-20, which depend from, and further limit claim 11, are anticipated by Levac.

Rejection Under 35 U.S.C. § 103(a)

Claims 6-8, 15-18, 23 and 24 have been rejected under 35 U.S.C. § 103(a) as unpatentable over Levac in view of Himmel. Because claims 6-8 depend from, and further limits claim 2, claims 6-8 necessarily include all the limitations of claim 2, including the limitation of:

generating, subsequent to receiving the request from the requesting wireless device, a response to the request for data, the response to include renderable data that is configured for one or more characteristics of the requesting wireless device;

As discussed in conjunction with claim 2, Levac does not teach the limitation recited above, and applicant submits that Himmel does not teach this limitation either. Himmel teaches receiving a request from a device having a particular type of web browser, and *re-directing* that request to a URL address associated with a pre-existing web page according to the type of browser of the requesting device. (Himmel, Abstract, col. 1 lines 5-9, col. 4 lines 42-54). However, Himmel does not disclose or suggest the limitation of “*generating, subsequent to receiving the request from the requesting*

wireless device, *a response to the request for data*” as recited above. Because neither Levac nor Himmel teach the above recited claim limitation, even if Levac and Himmel could be combined in a manner suggested by the examiner, their combination still would not disclose or suggest every limitation of claims 6-8, and therefore would not establish a prima facie case for obviousness over claims 6-8.

Because claims 15-18 and claims 23-24 depend from, and further limit claim 11, claims 15-18 and claims 23-24 necessarily include the limitation:

one or more processes that generate a response to the request from the wireless device, the one or more processes being configured to generate the response subsequent to receipt of a request for data from the wireless device, and according to a device profile corresponding to the requesting device;

As discussed in conjunction with claim 11, Levac does not teach this limitation, and applicant submits that Himmel does not teach this limitation either. Himmel teaches receiving a request from a device having a particular type of web browser, and *re-directing* that request to a URL address associated with a pre-existing web page according to the type of browser of the requesting device, but does not teach the limitation of “one or more processes that *generate a response to the request from the wireless device . . . subsequent to receipt of a request*” Because neither Levac nor Himmel teach the above recited limitation, even if Levac and Himmel could be combined in a manner suggested by the examiner, their combination still would not disclose or suggest every limitation of claim 11, and therefore would not establish a prima facie case for obviousness. For at least these reasons, claims 15-18, 23 and 24 are allowable over Levac, Himmel, and their combination.

Conclusion

In view of the above remarks, Applicant submits that all pending claims are in condition for allowance, and requests notification of allowance at the Examiner's earliest opportunity. If a telephone interview would be helpful in any way, the examiner is invited to call the undersigned attorney.

Authorization is hereby given to charge deposit account 50-1914 for any fee deficiency associated with this Response.

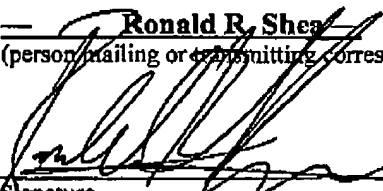
Respectfully submitted

SHEMWELL MAHAMEDI LLP

Dated: April 11, 2006

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